

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION :

*Plaintiff,* :

vs. :

Case No. 1:10-CV-457  
(GLS/CFH)

McGINN, SMITH & CO., INC., :  
McGINN, SMITH ADVISORS, LLC :  
McGINN, SMITH CAPITAL HOLDINGS CORP., :  
FIRST ADVISORY INCOME NOTES, LLC, :  
FIRST EXCELSIOR INCOME NOTES, LLC, :  
FIRST INDEPENDENT INCOME NOTES, LLC, :  
THIRD ALBANY INCOME NOTES, LLC, :  
TIMOTHY M. McGINN, AND :  
DAVID L. SMITH, GEOFFREY R. SMITH, :  
Individually and as Trustee of the David L. and :  
Lynn A. Smith Irrevocable Trust U/A 8/04/04, :  
LAUREN T. SMITH, and NANCY McGINN, :

*Defendants,* :

LYNN A. SMITH and :  
NANCY McGINN, :

*Relief Defendants. and* :

GEOFFREY R. SMITH, Trustee of the :  
David L. and Lynn A. Smith Irrevocable :  
Trust U/A 8/04/04, :

*Intervenor.* :

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**NOTICE OF FILING OF EIGHTH PAYMENT SCHEDULE  
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on August 11, 2017, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Eighth Payment Schedule of Investor Distributions, pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Investor Distributions will continue to be filed on a rolling basis with increasing frequency. The attached Payment Schedule reports the claim numbers and amount to be paid as a first distribution to the holders of the listed claim numbers, which amount has been rounded to the nearest whole dollar in accordance with Section 12 of the Plan.

Dated: August 11, 2017

PHILLIPS LYTTLE LLP

By           /s/ William J. Brown            
William J. Brown (Bar Roll #601330)  
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Doc #01-3037018.8

August 11, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4112A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4125A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	\$ 2,500.00
4126A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4233A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 60,000.00	\$ 6,000.00
4234A	FAIN Secured Senior Subordinated Notes	\$ 60,000.00	\$ 6,000.00
4235A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 55,500.00	\$ 5,550.00
4281A	TDMM Cable Jr Trust 09 11%	\$ 75,000.00	\$ 7,500.00
4344A	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/10	\$ 11,060.45	\$ 1,106.00
4345A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 794.00
4346A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 19,839.22	\$ 1,984.00
4347A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 23,125.00	\$ 2,313.00
4348A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 23,125.00	\$ 2,313.00
4484A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 50,000.00	\$ 5,000.00
4485A	Pacific Trust	\$ 19,783.28	\$ 1,978.00
4738A	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$ 50,000.00	\$ 5,000.00
4739A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 25,000.00	\$ 2,500.00
5002A	TDM Cable Trust 06 9.25 48 Months Contract Certificates 11/15/10	\$ 10,000.00	\$ 1,000.00
4911A	McGinn, Smith Transaction Funding Corp.	\$ 300,000.00	\$ 30,000.00
5642A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 15,000.00	\$ 1,500.00
5643A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 15,000.00	\$ 1,500.00
5644A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 19,839.22	\$ 1,984.00
5645A	Fortress Trust 08	\$ 19,911.10	\$ 1,991.00
5646A	Integrated Excellence Sr Trust 08	\$ 17,091.25	\$ 1,709.00
5647A	TAIN Secured Junior Notes Due 12/15/2009	\$ 30,000.00	\$ 3,000.00
5648A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 25,000.00	\$ 2,500.00
5649A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 22,559.38	\$ 2,256.00
5650A	TDMM Benchmark Trust 09 10%	\$ 10,000.00	\$ 1,000.00
5651A	TDMM Benchmark Trust 09 9%	\$ 50,000.00	\$ 5,000.00
5652A	TDMM Cable Sr Trust 09 9%	\$ 19,483.15	\$ 1,948.00
5653A	TDMM Cable Sr Trust 09 9%	\$ 27,276.41	\$ 2,728.00
5754P	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 45,000.00	\$ 4,500.00

<b>Claim #</b>	<b>Description of Investment</b>	<b>Amount of Investment (100%)</b>	<b>Amount of First Distribution</b>
5755P	Firstline Trust 07 B Senior Contract Certificates 9.50% Due 10/01/11	\$ 8,276.78	\$ 828.00
5893A	FAIN Secured Senior Subordinated Notes	\$ 50,000.00	\$ 5,000.00
5894A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
5895A	FAIN Secured Senior Notes	\$ 55,197.22	\$ 5,520.00
5896A	TAIN Secured Senior Notes	\$ 54,559.72	\$ 5,456.00
6085A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 9,000.00	\$ 900.00
6086A	FAIN Secured Senior Subordinated Notes	\$ 25,000.00	\$ 2,500.00
6087A	TDM Cable Trust 06 10% Contract Certificates Due 11/15/2010	\$ 10,000.00	\$ 1,000.00
6088A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/2010	\$ 10,000.00	\$ 1,000.00
6089A	TDM Verifier Trust 07RContract Certificates	\$ 10,000.00	\$ 1,000.00
6091A	Seton Hall Mortgage Note Holders	\$ 4,315.39	\$ 432.00
6318A	FAIN Secured Senior Subordinated Notes	\$ 15,000.00	\$ 1,500.00
4128A	TAIN Secured Senior Notes	\$ 18,186.57	\$ 1,819.00
6624A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 30,000.00	\$ 3,000.00
6625A	TAIN Secured Junior Notes Due 12/15/2009	\$ 80,000.00	\$ 8,000.00
6627A	Seton Hall Mortgage Note Holders	\$ 15,535.65	\$ 1,554.00
6865A	FAIN Secured Senior Notes	\$ 22,998.83	\$ 2,300.00
6866A	FAIN Secured Senior Notes	\$ 22,998.83	\$ 2,300.00
6895A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 09/01/2011	\$ 9,250.00	\$ 925.00
6896A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
6913A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	\$ 2,500.00
6914A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	\$ 2,500.00
6915A	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/2010	\$ 11,060.45	\$ 1,106.00
6916A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/2012	\$ 55,549.83	\$ 5,555.00
6917A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
6918A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/2010	\$ 25,000.00	\$ 2,500.00
6930A	TDM Cable Trust 06 10% Contract Certificates Due 11/15/2010	\$ 10,000.00	\$ 1,000.00
6943A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
6945A	TDM Verifier Trust 07RContract Certificates	\$ 30,000.00	\$ 3,000.00
6946A	Fortress Trust 08	\$ 19,911.10	\$ 1,991.00
6947A	TDM Verifier Trust 08 Contract Certificate 36	\$ 25,000.00	\$ 2,500.00